

# United States District Court

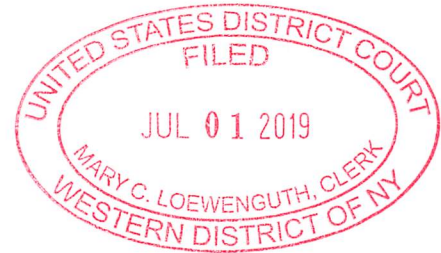
for the  
Western District of New York

United States of America

v.

Case No. 19-MJ-641

SHAWN BLANEY and  
DEBBIE RUMMINGS



## CRIMINAL COMPLAINT

I, CHRISTOPHER MAHAFFY, the complainant in this case, state that the following is true to the best of my knowledge and belief.

Between March 13, 2019 and July 1, 2019, in the County of Chemung, in the Western District of New York, the defendant did knowingly and unlawfully possess with intent to distribute 40 grams or more of fentanyl, a Schedule II controlled substance, in violation of Title 21, United States Code, Section 846, and did knowingly and unlawfully possess a firearm in furtherance of a drug trafficking crime, in violation of Title 18, United States Code, Section 924(c).

SEE ATTACHED AFFIDAVIT OF SPECIAL AGENT CHRISTOPHER MAHAFFY.

This Criminal Complaint is based on these facts:

☒ Continued on the attached sheet.

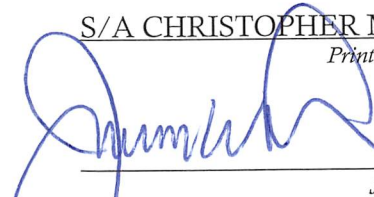
Sworn to before me and signed in my presence.

Date: July 1, 2019

City and State: Rochester, New York

  
Complainant's signature

S/A CHRISTOPHER MAHAFFY  
Printed name and title

  
Judge's signature

HONORABLE JONATHAN J. FELDMAN  
UNITED STATES MAGISTRATE JUDGE  
Printed name and title

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA

v.

19-MJ-641

SHAWN BLANEY and  
DEBBIE RUMMINGS,

Defendants.

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**AFFIDAVIT IN SUPPORT OF CRIMINAL COMPLAINT**

**CHRISTOPHER MAHAFFY**, being duly sworn, deposes and says:

1. I am a Special Agent with the Drug Enforcement Administration (DEA), and as such I am an "investigative or law enforcement officer" of the United States within the meaning of Section 2510(7) of Title 18, United States Code, that is, an officer of the United States who is empowered by law to conduct investigations of, and to make arrests for, offenses enumerated in Title 21, United States Code, Section 801, et seq. and Title 18, United States Code, Section 2516(1).

2. I have been employed with the Drug Enforcement Administration since May 2014. I am currently assigned to the DEA Rochester Resident Office. Prior to becoming a DEA Special Agent, I received a Bachelor of Arts degree in Public Justice from the State University of New York at Oswego in May 2007. During my employment with the Drug Enforcement Administration, I completed 18 weeks of training at the DEA Office of Training,

located in Quantico, Virginia, prior to being assigned to the Rochester Resident Office. My training included classroom preparation in drug trafficking networks, drug identification, as well as practical application of surveillance, drug investigation, and arrest procedures. During my tenure with the DEA, I have participated in numerous investigations relating to armed individuals that were involved in the distribution of controlled substances, including heroin, cocaine, cocaine base and other substances. I have also participated in numerous interviews and debriefings of individuals involved in armed drug trafficking. I am familiar with the habits, methods, routines, practices and procedures commonly employed by persons engaged in the armed trafficking of illegal drugs. Additionally, I am familiar with the methods of use, effects, distribution, appearance, as well as the methods of manufacture of controlled substances. I have been the affiant on multiple federal and state search warrants, arrest warrants and other applications. During my time at the Rochester Resident Office, I have participated in four long-term narcotics investigations that utilized the court-authorized interception of wire communications that have resulted in the arrest of drug distributors, and the seizures of quantities of controlled substances and firearms. In addition, I have had the opportunity to work with other DEA agents and law enforcement officers, who have also investigated armed drug trafficking networks.

### **PURPOSE OF AFFIDAVIT**

3. This affidavit is submitted in support of a criminal complaint charging SHAWN BLANEY (hereinafter "BLANEY") and DEBBIE RUMMINGS (hereinafter

“RUMMINGS”) with a violation of Title 21, United States Code, Section 841(a)(1) (possession with intent to distribute 40 grams or more of fentanyl, a Schedule II controlled substance), and Title 18, United States Code, Section 924(c) (possession of a firearm in furtherance of a drug trafficking crime).

4. The information in this affidavit is based upon personal knowledge obtained through my participation in this investigation. It is also based upon information and belief, the source of which is my review of relevant reports prepared by various police agencies, as well as information received from other experienced narcotics investigators, law enforcement agents and officers, all of which I believe to be true and accurate. As a result of my participation in this matter, I am familiar with all aspects of the investigation. Since this affidavit is being submitted for a limited purpose, I have not included each and every fact that I know concerning this investigation. Rather, I have set forth only those facts that relate to the issue of whether probable cause exists to believe that the defendant committed the above-described offenses.

**MARCH 13, 2019 TRAFFIC STOP AND ARREST OF RUMMINGS**

5. On March 13, 2019, at approximately 3:27 PM, NYSP Trooper Brandon Salyerds observed a 2003 Pontiac Vibe bearing NY registration number HXG-2923 (registered to Alyssa Jo Battensby, date of birth XX/XX/1993) operating with an expired inspection

while traveling on Interstate 86 in the vicinity of Horseheads, NY. Trooper Salyerds initiated a traffic stop on the vehicle in the vicinity of Exit 53 on Interstate 86. After approaching the vehicle, Trooper Salyerds identified the operator of the vehicle as Bernadett VanDyke, date of birth XX/XX/1973, who stated that she did not have registration or insurance information for the vehicle on her, but was able to provide Trooper Salyerds with a digital copy of insurance on her cellular phone. While speaking with VanDyke, Trooper Salyerds detected the odor of marijuana inside the vehicle. Trooper Salyerds asked for the passenger's identification, who stated that she did not have any on her person. The passenger provided her NY client identification number and stated that her name was Deb A. Rummings. Trooper Salyerds then requested VanDyke to exit the vehicle in order to continue a conversation as it was difficult for Trooper Salyerds to communicate with VanDyke from his position on the passenger side of the vehicle on the interstate. Trooper Salyerds asked VanDyke and then Rummings questions, to include the origin of their travel, to which VanDyke and Rummings gave conflicting answers. Additionally, RUMMINGGS exhibited a nervous demeanor and had rapid, slurred speech. When asked by Trooper Salyerds if RUMMINGGS had any illegal items in the vehicle, RUMMINGGS became agitated and stated, "I want your captain out here. I want you to call him right now and have him out here..." Trooper Salyerds again spoke with VanDyke, who declined to give consent to search the vehicle as VanDyke stated that the vehicle belonged to someone else. Trooper Salyerds then returned to the vehicle to observe RUMMINGGS with her right hand down inside the front of her pants in what appeared to be an attempt to conceal contraband. When Trooper Salyerds

asked what RUMMINGS was doing, RUMMINGS responded, "I'm on my period. I need a tampon!" RUMMINGS then stated, "You have no right to detain me, I'm leaving!" RUMMINGS then attempted to open the passenger side door at which time Trooper Salyerds had to prevent RUMMINGS from exiting the vehicle until additional police arrived to assist. Shortly afterwards, Trooper Salyerds observed RUMMINGS turn around to the back seat and begin pushing buttons on a digital safe. When asked by Trooper Salyerds what RUMMINGS was doing, she responded, "I'm making it so you can't open this! You need a warrant to look in this!" Trooper Salyerds then asked RUMMINGS who the digital safe belonged to. RUMMINGS responded, "The safe belongs to my boyfriend."

6. Troopers Dickerson and Shiposh arrived on scene to assist Trooper Salyerds and VanDyke was placed in Trooper Dickerson's vehicle while RUMMINGS was asked to stand in front of stopped vehicle. Trooper Salyerds then conducted a canine search of the vehicle using K-9 Theo. Theo immediately jumped through the open passenger side window of the vehicle and alerted on a light colored towel on the passenger floor of the vehicle. While alerting on the towel, Theo moved it over exposing a water bong. Theo then jumped into the back seat and alerted on several cloth bags and the digital safe. During an additional search of the vehicle following the canine search, Trooper Shiposh located marijuana, concentrated marijuana, a partial ecstasy pill, digital scales, packaging material, a spoon with residue, and mail belonging to RUMMINGS. Trooper Salyerds then spoke with RUMMINGS, who was now seated in the front seat of a NYSP unit. RUMMINGS stated

to Trooper Salyerds that she “[had] some weed down the back of [her] pants.” Trooper Salyerds then asked RUMMINGS if RUMMINGS had any additional contraband on her or in the vehicle, to which RUMMINGS responded, “Yes. You need to tell me if I’m going home tonight.” Trooper Salyerds stated that he couldn’t promise anything without knowing how much or what contraband RUMMINGS had and that if it was a small amount they could work something out. RUMMINGS that stated, “What if it’s not a small amount?” RUMMINGS then became uncooperative and was transported to the NYSP Horseheads Barracks by Trooper Dickerson for a strip search as it was believed that RUMMINGS had concealed contraband on her person. During the subsequent search of RUMMINGS’ person by Trooper, police located substances which were subsequently tested by the DEA Northeast Regional Laboratory and determined to be 87.3 grams of fentanyl and approximately 9.2 grams of methamphetamine. RUMMINGS was then arraigned in the Village of Horseheads Court and remanded on \$10,000 cash bail/\$20,000 bond. She was later released from custody.

**SEARCH WARRANT AT 1206 GRAND CENTRAL AVENUE, APT. “A” ELMIRA,  
NEW YORK ON JULY 1, 2019**

7. On June 28, 2019, the Honorable Marian W. Payson, Magistrate Judge, WDNY, signed a search warrant authorizing the search of 1206 Grand Central Avenue, Apartment “A,” Elmira, New York, the residence of BLANEY and RUMMINGS, hereafter the “Subject Residence.”

8. On July 1, 2019, at approximately 6:00 a.m., members of EPD SWAT executed the search warrant at the Subject Residence. At the time of the execution of the search warrant, BLANEY departed the Subject Residence in a 1999 Saturn SL bearing New York Registration JFV-4360. BLANEY was subsequently pulled over by EPD Officer Timothy Murphy on Woodlawn Avenue in Elmira, New York and taken into custody without further incident. RUMMINGS was inside the Subject Residence at the time of the search warrant execution, and was taken into custody without incident. Both BLANEY and RUMMINGS were taken to the Elmira Police Department for interviews.

9. After the Elmira Police Department SWAT cleared the Subject Residence, members of the Drug Enforcement Administration, Elmira Police Department, and the New York State Police, completed a search of the Subject Residence. Several items of evidentiary value were seized from the Subject Residence, to include, approximately 100 grams of a light grey powdery substance that subsequently field-tested positive for fentanyl, multiple electronic scales, dilutant, two hunting-style rifles, a pump action shotgun, a single-shot, break action shotgun, and an AR-15 style rifle. The pump action shotgun was loaded with five rounds. The AR-15 style rifle was found unloaded, however a fully loaded 30 round magazine and a partially loaded magazine containing 10 rounds were located next to the rifle. Both the pump action shotgun and the AR-15 style rifle were located in the living room next to a safe which contained the fentanyl.



10. While at the Elmira Police Department, EPD Investigator Patrick Griffin and DEA Special Agent Christopher Mahaffy conducted an interview with BLANEY after SA Mahaffy advised BLANEY of his rights. In response to being asked whether BLANEY understood his rights and was willing to answer some questions, BLANEY responded in the affirmative. In sum and substance, BLANEY described the grey powdery substance in the safe as heroin and estimated that it weighed approximately 120 grams. BLANEY also provided agents with a code to reset and access the safe that contained the grey powdery substance. BLANEY stated that he obtained approximately four ounces of methamphetamine approximately a week ago, although he has sold it within a couple of days. BLANEY further stated that he would receive approximately eight ounces of methamphetamine from his source of supply approximately every couple of weeks. BLANEY stated that this occurred between approximately a year ago up until his arrest in April 2019 and the arrest of other methamphetamine distributors in the Elmira, New York area, at which time his source of supply began to minimize his distribution efforts over fear of law enforcement activity. BLANEY stated that the most methamphetamine he received from his source of supply at one time was approximately two pounds. BLANEY stated that he acquired the AR style rifle to protect drug proceeds at the residence after stating that three black males had run into the house last night.

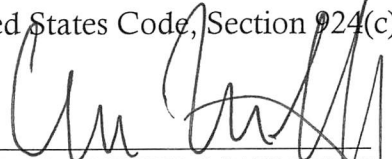
11. While at the Elmira Police Department, EPD Investigator Daniel VanDine and

New York State Police Investigator Kevin Backer conducted an interview with RUMMINGS after Inv. Backer advised RUMMINGS of her rights. In response to being asked whether RUMMINGS understood her rights and was willing to answer questions, RUMMINGS responded in the affirmative. In sum and substance, RUMMINGS stated that she resided at the Subject Residence. RUMMINGS further stated that she was aware of the safe at the Subject Residence and that she and BLANEY kept the safe locked when her children are present.

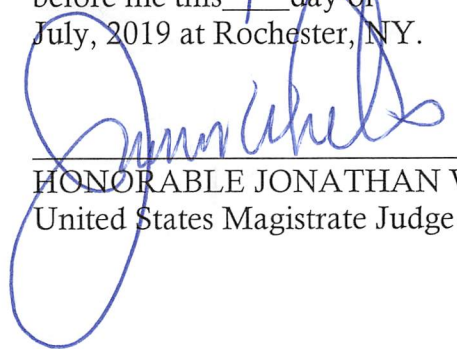
12. With respect to the firearms, RUMMINGS further stated that she was aware of the firearms at the Subject Residence, and stated that the AR-15 style rifle was recently acquired for protection after a burglary attempt over the weekend. RUMMINGS stated that three black males had arrived at the residence and pulled a handgun out on her. She further stated, in sum and substance, that one of the males put the handgun behind her head to her that they were here for the white dude and his shit. RUMMINGS stated that the three males did not observe the safe because it was concealed behind a mattress in the living room. During the interview, RUMMINGS provided information about the quantity of both heroin and methamphetamine that BLANEY received from the source of supply and stated that BLANEY had been dealing with the source of supply since approximately January 2019.

### CONCLUSION

13. Based on the above information, I respectfully submit that there is probable cause to believe that, between March 13, 2019 and July 1, 2019 defendants Shawn BLANEY and Debbie RUMMINGS did knowingly and unlawfully possess with intent to distribute 40 grams or more of fentanyl, a Schedule II controlled substance, in violation of Title 21, United States Code, Section 841(a)(1); and possess a firearm in furtherance of a drug trafficking crime in violation of Title 18, United States Code, Section 924(c).

  
CHRISTOPHER MAHAFFY  
Special Agent  
Drug Enforcement Administration

Sworn to and subscribed to  
before me this 1 day of  
July, 2019 at Rochester, NY.

  
HONORABLE JONATHAN W. FELDMAN  
United States Magistrate Judge